

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

v.

14-CR-91-S

JOHN CIRULLI,

Defendant.

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**STATEMENT OF THE GOVERNMENT WITH RESPECT  
TO SENTENCING FACTORS**

**PLEASE TAKE NOTICE**, that the government adopts the findings of the Pre-sentence Report with respect to sentencing factors, except as to offense level computations with the exception of paragraph 16 regarding obstruction of justice. The government will file its specific objection to that paragraph in a separate filing.

Should the defendant present any letters of support or sentencing statement to the Court, the United States will move to strike the items from the record if this office is not provided with copies at least three business days prior to sentencing.

The defendant is required by 18 U.S.C. §3013 to pay the sum of \$25 at the time of sentencing. Immediately after sentencing, the defendant must pay the amount due by personal check, cashier's check or certified funds to the United States District Court Clerk.

Should the Court find that there is restitution owed as pursuant to paragraph 2 of the plea agreement, that amount of restitution must be ordered by the Court.

It is requested that the Court order that all financial obligations be due immediately. In the event the defendant lacks the ability to immediately pay the financial obligations in full, it is requested that the Court set a schedule for payment of the obligations.

In the event present counsel for the defendant will continue to represent the defendant after sentencing in regard to the collection of unpaid financial obligation(s), it is requested that a letter so advising be sent to:

Asset Forfeiture/Financial Litigation Unit  
U.S. Attorney's Office--WDNY  
138 Delaware Avenue  
Buffalo, New York 14202

If a letter is not received within 10 days of sentencing, the defendant will be directly contacted regarding collection of the financial obligation(s).

DATED: Buffalo, New York, November 10, 2014.

WILLIAM J. HOCHUL, JR.  
United States Attorney

BY: s/TRINI E. ROSS  
Assistant United States Attorney  
United States Attorney's Office  
Western District of New York  
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TO: Rodney O. Personius, Esq.